

3795. Misbranding of Ebrey Extract. U. S. v. 144 Bottles * * *. (F. D. C. No. 33235. Sample No. 38153-L.)

LIBEL FILED: May 8, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about July 13, 1951, by the Ebrey Chemical Works, from Humacao, P. R.

PRODUCT: 144 3-ounce bottles of *Ebrey Extract* at New York, N. Y. Some of the bottles were labeled in the Spanish language, and others were labeled in part in the Spanish language and in part in the English language.

LABEL, IN PART: "Anticalculina Ebrey Extracto Ebrey Indicada Como Diuretico Y En Los Catarros Vesicales" or "Ebrey Extract A Soothing Diuretic to Kidneys and Bladder Alcohol 28% Active Ingredients: Fluid Extracts of Uva Ursi, Buchu, Corn-Silk (Zea), Sabal (Serenoa), Cubeb and Juniper, compounded with physiologically inactive Chlorophyll as an excipient. Contents 3 fl. ounces."

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements "Anticalculina * * * Indicada Como Dieuretico Y En Los Catarros Vesicales" appearing on some of the bottle labels and the statement "Soothing Diuretic to Kidneys and Bladder" appearing on some of the bottle labels and on all of the carton labels were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for kidney stones, bladder stones, inflammation of the bladder, and irritations of the kidneys and bladder. The article was not an adequate and effective treatment for such conditions.

DISPOSITION: July 3, 1952. Default decree of condemnation and destruction.

3796. Misbranding of Sobar. U. S. v. 67 Bottles, etc. (F. D. C. No. 33318. Sample No. 37646-L.)

LIBEL FILED: July 1, 1952, Southern District of New York.

ALLEGED SHIPMENT: During October 1951, by Horace M. Carter, from Rutland, Vt.

PRODUCT: 67 ½-ounce bottles of *Sobar* at New York, N. Y., in possession of Frailey Industries, Inc., together with a number of streamers reading "Morning after? Get Sobar Ask Prescription Clerk" and "For Relief of Overindulgence in Alcoholic Beverages Morning after? Get Sobar" and a number of leaflets entitled "SOBAR What It Is," which streamers and leaflets were printed locally for the consignee.

LABEL, IN PART: (Bottle) "SOBAR For the relief of the symptoms of ordinary Overindulgence in Alcoholic Beverages Active Ingredients: Chlorophyllins * * * Thiamine Hydrochloride, U. S. P. Sodium Salicylate, U. S. P. Citrated Caffeine, U. S. P. Alcohol 23% * * * Distributed by Frailey Industries, Inc. New York, N. Y. * * * To 'sober up' quickly."

NATURE OF CHARGE: Misbranding, Section 502 (a), the bottle labels contained the designation "Sobar" and statements which represented and suggested that the article was an adequate and effective treatment for acute alcoholism, which statements were false and misleading since the article was not an adequate and effective treatment for acute alcoholism. The article was misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), the leaflets and streamers accompanying the article contained statements which represented and suggested